

October 1, 2004

Dr. Robert A. McGuire  
Associate Administrator for Hazardous Materials Safety  
US Department of Transportation  
Research and Special Programs Administration  
400 Seventh St., SW  
Washington, DC 20590

Re: Response to the NPRM - Docket No. RSPA - 00 - 7762 (HM-206C)

Dr. McGuire:

Hageland Aviation Services, Inc. of Anchorage, Alaska takes this opportunity to respond to the DOT- RSPA Notice of Proposed Rulemaking in Docket No. RSPA -00-7762 (HM-206C).

The Federal Register Vol. 67, No. 30, dated February 13, 2002, contains the DOT-RSPA Notice of Proposed Rulemaking in Docket No. RSPA-00-7762 (HM-206C)  
Hazardous Materials: Availability of Information for Hazardous Materials Transported by Aircraft.

The NPRM proposes to amend the Hazardous Materials Regulations (HMR) to require an aircraft operator to place a telephone number on the Notification to Pilot in Command that can be contacted during an in flight emergency to obtain information about any hazardous materials aboard the aircraft; retain a copy of the Notification of Pilot-in-Command at the aircraft operator's principal place of business for one year; retain and make readily accessible a copy of the Notification of Pilot-in-Command, or information contained in it at the airport of departure and the airport of planned destination until the flight leg is completed. The proposition is that the level of safety associated with the transportation of hazardous materials aboard aircraft will, as a result of this modification, be improved.

You have received comments from some very thoughtful entities and I will not add to the volume of reading. I do wish to add to the practical aspect of efficiently achieving safety improvements.

What information and where to have it.

We all know about KISS. It is not necessary to abandon that principle here. In fact, if efficient response to an emergency is the goal, reducing complexities to those that are essential is critical. Simply require these four items in a special block on the NOTAC and eliminate the duplication of the information elsewhere on the NOTAC:

1. Identify the material (Class/UN ID number)
2. How much of the material is on board (amount)
3. Where it is located on the aircraft
4. 24/7 Emergency Phone number for this shipment

Permit the carrier to determine for itself the best way to provide the information and from where. Simply impose the requirement that the information be available where it will be needed in case of an emergency and within a reasonable length of time less than 20 minutes (or some other short duration ).

Retention of documents.

Retention of records for emergency response purpose is reasonable for the duration of the flight legs that carry the HazMat.

Retention of records for surveillance would not satisfy some individuals if it were for decades. As a practical suggestion, very little, if any, surveillance benefit may be gained from examining records a year (or 375 days) old. The safety benefit for this task is obtained by regular surveillance over short periods. That is the way to prevent unsatisfactory trends and timely improve safe methods of managing the transportation and storage of DG. Ninety days is more than long enough to look back and we already are doing that. In fact, I don't think that a bad practice should endure for this ninety days but given the asserted workload of surveillance organizations, I suppose some slack there is necessary.

Retention of records for longer periods mostly serves those who wish to look a long distance back to catch an error rather than monitor frequently in order to prevent a disaster. We must keep our objectives in mind.

As a separate and very subordinate footnote: Let's all get on board with NOTAC nomenclature.

Sincerely,

Patrick Thurston